

"I Will Be with Them": God at the Burning Bush as an Ideal of Compassion for All Creatures

Geoffrey D. Claussen

I imagine God not as a person, being, or force, but as the ideal of moral goodness that commands all human beings, an ideal toward which all of us should strive as best we are able.¹ As I think that the virtue of compassion for all sentient beings is a virtue that is central to morality, I think that it is valuable to conceive of God as the ideal of compassion for all sentient beings. One of the ancient Jewish texts that helps me to conceive of God in this way is the narrative of Moses' encounter with God at the burning bush, as related in the third chapter of the biblical book of Exodus and in a number of classical midrashic texts. In this episode, we may find a focal point for our meditations on the Divine, a way to imagine God encountered as a commanding ideal of compassion for all sentient beings.

The Compassion of God and the Compassion of Moses

The third chapter of Exodus unfolds while Pharaoh, king of Egypt, has enslaved the people of Israel and is demanding the death of all male children. After seeing the suffering of his people and killing an Egyptian taskmaster, Moses has fled to Midian, where he has intervened to defend Zipporah and her sisters. He has married

Zipporah and become a shepherd, tending the flocks of his Midianite father-in-law Jethro. Meanwhile, the text tells us that God has taken notice of the Israelites' suffering, whereupon God appears to Moses:

Now Moses, tending the flock of his father-in-law Jethro, the priest of Midian, drove the flock into the wilderness, and came to Horeb, the mountain of God. An angel of the Eternal One appeared to him in a blazing fire out of a bush. He gazed, and there was a bush all aflame, yet the bush was not consumed. Moses said, "I must turn aside to look at this marvelous sight; why doesn't the bush burn up?" When the Eternal One saw that he had turned aside to look, God called to him out of the bush: "Moses! Moses!" He answered, "Here I am."² (Exodus 3:1–4)

As the narrative unfolds, God then goes on to self-identify, using the enigmatic name *Ehyeh Asher Ehyeh*—"I will be as I will be," as it might be translated—and to commission Moses to free the suffering Israelites from Egypt.

Why does God choose Moses at this moment, while Moses is shepherding his father-in-law's flock? One midrash (found in *Shemot Rabbah*) offers an answer that I find particularly suggestive:

The blessed Holy One only tested Moses by the flock. Our rabbis have said that when Moses our rabbi, peace be upon him, was shepherding the flock of Jethro in the wilderness, a kid escaped. He ran after it until he reached a shady place. When he reached the shady place, he happened upon a pool of water where the kid was standing, drinking. When Moses reached [the kid], he said: "I had not known that you had run away because of thirst. You must be tired." He placed it on his shoulder and walked back. The blessed Holy One said: "You have shown compassion in guiding a flock belonging to a mortal; so, by your life, you should shepherd My flock, Israel."³

In this midrash, God characterizes Moses as acting with exemplary compassion. Moses, to his credit, does not rebuke the kid for escaping from the flock. Instead, he admits that he had not understood what it needed and shows the empathy required to understand what it must be feeling; he responds with an action that offers relief to the kid. God appears to Moses and charges him with his mission precisely because of this display of compassion to the kid. The burning bush appears where it appears—at the “mountain of God,” Mount Horeb (also called Mount Sinai, as I will discuss below)—precisely because its location has been sanctified by Moses’ compassion.

One interpretation of the midrash is that in this moment Moses reveals not only his compassion for the particular kid but also his compassion for all sentient beings. We find interpretations along these lines, for example, within the Musar movement, a nineteenth- and early twentieth-century Jewish movement focused on the cultivation of character, whose leaders gave considerable attention to the virtues of compassionate love for all creatures.⁴ The writings of Rabbi Natan (Nosson) Tzvi Finkel of Slobodka (1849–1927) offer a particularly clear explanation of how Moses’ concern for the kid revealed his capacity to understand what all creatures need: “Our rabbi Moses, who followed the kid so that he could figure out why it ran away, after he found that it was tired and thirsty had compassion for it and placed it on his shoulder—and so it was revealed that he was understanding and discerning of the needs of every creature. And so the blessed Holy One found him fit to be the shepherd of Israel.”⁵

Finkel explains that Moses’ compassion thus came to resemble the divine ideal of compassion for all creatures, as suggested by a verse from Psalm 145: “The eyes of *all* look to You, and You give them their nourishment promptly” (Psalm 145:15). It follows, Finkel writes, that God “is concerned for each [creature] in its own right,

in accordance with its needs, promptly. Therefore, only a person who follows in the ways of God and who also has compassion for all creatures, and who knows how to determine and think deeply about the needs of each and every one of them, passes the test and is fit for the position of being a shepherd and leader.”⁶ Moses passes the test because he shows his capacity to be concerned for each and every creature in line with the divine ideal of compassion.

From Finkel’s perspective, God decides to appear in the burning bush and charges Moses with his mission, because at this moment God sees how Moses can bring divine compassion into the world more deeply. For those of us who see God as the ultimate moral ideal itself, rather than as a decision-making Being, we may build on Finkel’s understanding in a somewhat different way. Moses, we might say, achieves a closeness to the divine ideal of compassion for all creatures, an ideal that commands him to take up further responsibilities and to seek the ideal even more deeply.

We might consider that while an ultimate moral ideal is not a conscious being, it does direct us, make demands of us, obligate us, and command us. As many moral traditions have argued, when we recognize a moral ideal, we are called to live up to that ideal to the extent that we are able.⁷ All of us are obligated to turn toward the ideal, to seek to grow in virtue, and to take steps toward the Good—that is, in my language: toward God.

I imagine the story of Moses and his calling in this way. The suffering kid is a revelation that demands Moses’ response, and as Moses acts with newfound compassion, he grows even more in compassion. As he realizes his capacity for greater compassion, he realizes how much further he could grow as he recognizes the broader ideal of compassion for all creatures—for each creature in its own right, in accordance with its needs. He understands that he is called toward that ideal—that this ideal obligates him, commands him, and

demands his further action. This ideal of compassion burns within him and burns before his eyes, like a burning bush from which one cannot turn aside. The obligation to care for each and every creature rings in his ears and calls to him, as with a voice that cannot be silenced. Moses turns toward the ideal of compassion and the obligation that addresses him as if by his own name. He answers: "Here I am."

The Burning Bush and the Revelation of God's Name

The idea that the burning bush is a manifestation of divine compassion is prominent in rabbinic literature. One midrash (from *Shemot Rabbah*) sees a verse from Isaiah, "In all their affliction [God] was afflicted" (63:9), as alluding to God's suffering amidst the thorns of the burning thorn bush, and explains: "The blessed Holy One said to Moses, 'If you do not sense that I am suffering just as Israel is suffering, then you should know that I am speaking to you from within the thorns, [thus showing that it is] as if I am a partner in their suffering.'⁸ The burning bush is a thorn bush that shows how God compassionately joins the people of Israel while they suffer in Egypt. Another midrash (also from *Shemot Rabbah*) sees God's concern expressed in the love language of the Song of Songs, interpreting its language to show God's empathic relationship with Israel, as when Song of Songs 6:9 is interpreted as though it were speaking of God's love not for "my perfect one" (*tammati*) but for "my twin" (*te'omati*): "Rabbi Yannai said: 'Just as with twins, if one has a headache the other feels it also, so too the blessed Holy One says, as it were, 'I am with [Israel] in [Israel's] affliction.'⁹ God is so closely attached to Israel that God feels Israel's pain deeply, and God's pain is made manifest with the burning bush. The burning bush is a revelation of pain and suffering that demands compassion.

With these readings in mind, God's declaration from the bush that God should be known as *Ehyeh Asher Ehyeh*, "I will be as I will be," may be understood as also alluding to God's compassionate suffering alongside Israel. One midrash (in the *Tanḥuma*) teaches this in the name of Rabbi Yaakov ben Rabbi Avina, who taught it in the name of Rabbi Huna of Tzippori, understanding that the repetition of *ehyeh*, "I will be," alludes to God's presence both amidst current suffering and future suffering: "I will be with them in this enslavement, and I will be with them in their continuing enslavement."¹⁰ God, who promises in Exodus 3:12 to be with Moses ("I will be with you"), is now (in Exodus 3:14) promising to be with the entire people of Israel as they suffer ("I will be with them"). Those included within the circle of divine compassion include the entire people, and Moses cannot separate himself from the people's suffering or from God's suffering alongside them. Rather, he is called upon to emulate God's compassion and to also experience the people's suffering himself—and precisely so as to be able to respond that "he will be with them" in their suffering, just as God is with them in their suffering. The revelation of the burning bush calls Moses to feel the suffering of Israel, to be a partner in their suffering, and to take responsibility to alleviate their suffering—to "free My people, the Israelites, from Egypt" (Exodus 3:10)¹¹ as God instructs him.

Moses may well have the instinct to turn away from the visions of suffering that appear before his eyes, and to avoid the consequences of the revelation of divine compassion that he hears. He famously resists God's call, beginning in Exodus 3:11: "Who am I, that I should go to Pharaoh and free the Israelites from Egypt?" But something has drawn him to the bush, and if we follow the midrashic traditions discussed here, it is not merely the miraculous sight. Moses is drawn to the expressions of suffering that are deeply painful to behold, revelations of suffering that have something in common with the

suffering of the thirsty and tired kid who has brought Moses to this spot but that are far more painful—revelations of the continued drowning of children, the beating of slaves, and the cries of the oppressed. We might imagine that Moses sees not only thorns and fire that represent suffering, but that he in fact sees the images of what that suffering looks like, and that he hears not only the voice of God but also the cries of those for whom God is present. It might well be tempting to turn away from such scenes and even from the thorns and fire that represent suffering, but the text emphasizes that Moses feels that he “must turn aside” toward the bush (Exodus 3:3), and God takes note of this turning toward suffering: “the Eternal One saw that he had turned aside to look” (Exodus 3:4). Whatever resistance Moses has regarding his mission, he does seek to approach the divine compassion that he hears, and he does eventually commit to taking responsibility to alleviate the suffering of Israel.

If we think of God as an ideal of compassion, these traditions may deepen our sense of that ideal. The *midrashim* cited here suggest to us that compassion involves being a partner in the suffering of others, even feeling the painful thorns that others feel, and committing to being with those who suffer. We can imagine Moses, as he takes on his mission before the burning bush, moving more closely to this ideal and realizing that compassion for all must include awareness *of* and responsiveness *to* even the most horrible atrocities. We can imagine Moses realizing just how much the ideal of compassion obligates him and committing to greater and greater responsibility.

Human and Animal Suffering, Intertwined

But what about the kid, whom Moses is perhaps still carrying on his shoulder? As Moses turns his attention to the grave suffering of the

people of Israel, does his experience with the non-human animal who brought him to Mount Horeb also remain in his heart and mind? Has he promised to still be with the tired kid, and does he still continue to hold the kid with compassion while he learns about the suffering of his people in Egypt? Does he continue to demonstrate that he is “understanding and discerning of the needs of every creature,” as he demonstrated in that encounter?

There is little in the continuing biblical narrative or in ancient midrashic tradition to show that this encounter or broader concern about the needs of every creature continue to be at the forefront of Moses’ consciousness. But it is worth noting that the ancient rabbis imagined Moses continuing to see traces of animal suffering—more severe suffering than the suffering of the kid—when he looked into the burning bush. A number of midrashic texts describe the burning bush as the sort of thorn bush that would trap helpless birds within it and tear them apart if they tried to escape, just as Israel was trapped within Egypt. In one midrash, Rabbi Shimon bar Yoḥai puts it in the following terms: “Just as this bush was the thorniest of all the trees in the world, in that any bird that entered into it could not manage to exit without tearing itself limb from limb, likewise was the slavery of Israel in Egypt the most oppressive slavery in the world.”¹² The simile focuses attention on the suffering of human beings, but it also requires considering an image of the suffering of non-human animals. We can imagine that Moses continues to keep animal suffering in mind, or perhaps that the divine ideal keeps animal suffering before Moses’ eyes. Moses might be asked to expand his concern further here, primarily for the people of Israel, but also for other forms of animal suffering: the suffering before Moses’ mind now includes not only the kid that escapes to seek water but also the birds that want to escape a painful imprisonment but would be torn apart if they did

so. Concern for animal suffering and human suffering are here by no means mutually exclusive: rather, considering an image of suffering birds will help to deepen compassion for suffering humans.

The burning image of divine compassion that Moses is encountering here would seem to bring human suffering and animal suffering close together. The ideal of divine compassion is manifest in a thorn bush, allowing Moses to see the analogy between the suffering of Israel and the suffering of birds amidst thorns. The ideal of divine compassion has been manifest in response to a tired kid, and Moses learns about the trials of Israel while he feels the weight of that kid on his shoulders. The compassion that Moses discovers involves being responsive to humans in pain and to animals in pain, and being a partner for weary humans and weary animals. God "will be with them," all of them. The challenge for Moses is to emulate the divine ideal and to "be with each and every one of them" as well.

One way in which Moses might meet that challenge is by legislating that it is forbidden to cause unnecessary pain to any sentient creature whatsoever. Various rabbinic texts suggest this possibility, as they indicate that Moses recorded a prohibition of *tza'ar ba'alei hayyim*, the suffering of animals, in the written Torah.¹³ This prohibition has generally been understood by Jewish legal authorities as a prohibition of causing *unnecessary* suffering; and it has sometimes been understood as applying to both animals and to humans: it is forbidden to cause unnecessary suffering to animals, and all the more so to human beings.¹⁴ The prohibition, understood in this way, demands compassion for animals and humans at the same time. Such legislation would have first been issued at Mount Horeb, also known as Mount Sinai, at the very spot where Moses first encountered the intertwined needs of the animals and humans that simultaneously demanded his compassion.

The Commanding Fire of Torah

The biblical narrative implies that Mount Horeb and Mount Sinai are the same location; a rabbinic midrash (Pirkei D'rabbi Eliezer) explains that the mountain was renamed Mount Sinai after Moses' encounter with God at the bush, taking the name "Sinai" as a derivative of the Hebrew word *s'neh*, meaning "bush."¹⁵ From the burning bush, God promises that "when you [in the singular, i.e. Moses] have freed the people from Egypt, you [in the plural, i.e., the nation] shall worship God at this mountain" (Exodus 3:12). And this promise is later fulfilled: after leading the people of Israel out of Egypt, Moses will bring the people back to this mountain. As I understand it, Moses will thus bring the people back to the spot where he had found his escaped kid and understood its suffering, where he had realized the need for compassion for all creatures, where he had encountered the ideal of compassion for the people of Israel in their slavery, and where he had felt the pain of Israel's slavery as the pain of birds in a burning thorn bush.

But when Moses returns to the mountain after the exodus from Egypt, it will no longer be only a single bush that will be in flames; rather, the whole mountain will now be aflame. In the language of the Book of Deuteronomy, "the mountain was ablaze with fire" (Deuteronomy 4:11, 5:23, and 9:15), and the divine voice comes "from out of the fire" (Deuteronomy 4:12, 15, 33, 36 and 5:4, 19, 23). If we understand the fire of the bush to be a sign of the ideal of compassion in response to suffering, we may understand the fire that envelops the mountain as an even more powerful symbol of compassion for all creatures, a renewed manifestation of the ideal that Moses first encountered in the bush. Like that first fire, this fire also clearly demands, obligates, and commands; the divine voice that comes from it is the source of legislation, the "fiery law" (Deuteronomy 33:2)

placed upon all Israelites. God, the ideal of compassion, commands the people of Israel to strive toward that ideal, to obey the laws that will teach them and help them to grow deeper in compassion. The divine voice addresses each one of them and cannot be silenced; the divine ideal burns before the eyes of the entire people, threatening their complacency, setting forth a covenant of compassion that demands responsiveness to the suffering of others.

The idea that a demand for compassion lies at the heart of God's revelation is expressed particularly well in the literature of the Musar movement. Rabbi Yeruham Halevi Levovitz of Mir (c. 1873–1936), for example, explains that "the preface to the giving of the Torah is the love of [God's] creatures," pointing to the love for others that prevailed among the people of Israel at the moment of revelation.¹⁶ Rabbi Eliyahu Eliezer Dessler (1892–1953) explains the notion of "love of God's creatures" as a matter of "recognizing that one is connected to all others, until one does not feel a sense of selfhood and what is 'his' at all, and thus one is unified with the rest of creation. And therefore Rabbi Akiva said that 'love your fellow as yourself' (Leviticus 19:18) is the great principle of the Torah, for from one's perspective there is the joining of all creation in complete unity" and "the affliction and disadvantage of one's fellow is also truly one's own."¹⁷ Rabbi Simḥah Zissel Ziv of Kelm (1824–1898) explains that "love for God's creatures" is the divine attribute that is most clearly revealed to us, which makes "closeness to the blessed Eternal One" possible; he concludes that "consequently we find that the prohibition of [causing] suffering to animals [*tza'ar ba'alei ḥayyim*] comes from the Torah."¹⁸

Building on Levovitz's comment, we might imagine that what makes the mountain the spot for the revelation of Torah is the discovery by the whole people of Israel of some of the sense of concern for others that Moses found so deeply there. Building on Dessler's

explanation, we can imagine the extent to which commandments for compassion toward others threaten the complacency of those who would rather ignore the suffering of others. On the other hand, we should recognize that “love of God’s creatures” in Levovitz’s and Dessler’s comments could be read narrowly, as referring only to human beings or perhaps only to members of one’s own people. Simḥah Zissel Ziv’s explicit connection between “love of God’s creatures” and the prohibition of causing suffering to animals may remind us not to understand commandments of compassion too narrowly.

As we consider this prohibition at the heart of the revelation to the people, we may imagine that this commandment was already known to Moses, at the time when he first encountered the kid that escaped from his flock at this very same spot. Elsewhere in his writings, Levovitz describes how Moses passed God’s test because with his concern even for the thirst and weariness of the kid, he showed that he would not ignore “even the slightest suffering of an animal.”¹⁹ This episode showed Moses’ concern to prevent any *tza’ar ba’alei ḥayyim*, any suffering to animals: “Such care for the flock, such caution for the suffering to animals [*tza’ar ba’alei ḥayyim*] in [even] this amount, is simply the force of his compassion in its fullness.”²⁰ We might imagine that Moses’ compassion for all creatures, reflecting the ideal compassion seen in the burning bush, had allowed him to internalize the prohibition of causing suffering; as Moses’ people are now brought to the same spot, they are challenged to also abide by this prohibition, and to reflect the ideal compassion seen in the blazing mountain.

Sacrifice and the Limits to Compassion for Animals

But even if we imagine that this ideal of compassion was communicated to Moses and then to the rest of the people, we might

imagine that Moses—and certainly the rest of the people—struggled to emulate it. As noted above, Moses may well have had the instinct to turn away from the suffering that he had encountered at the burning bush, and he certainly had the instinct to resist God's call to take responsibility for alleviating the suffering of his people. We might imagine that he also resisted the call to take responsibility for animals. Once he focused himself on the task of leading the people of Israel out of Egypt, he may have turned away from concerns with other creatures. Perhaps he could not bear to keep more suffering in mind, and perhaps he was overwhelmed by the ideal of concern for "each and every one" of God's creatures. Perhaps he heard God's assertion that "I will be with them" as referring only to Israel, and he rejected the idea that it could include suffering animals as well. Perhaps he did internalize the prohibition of causing unnecessary suffering and did teach it to his people, but became convinced that causing a considerable amount of suffering is necessary, especially given the necessity of animal sacrifice.

This last possibility is established in the unfolding narrative of the written Torah. After all, even at the burning bush, Moses does hear the divine voice command him to cause some suffering to animals—namely, by sacrificing them to God. God instructs Moses that "when you have freed the people from Egypt, you shall worship God at this mountain" (Exodus 3:12), and the commandment to "worship," in this context, indicates animal sacrifice. This is clarified a few verses later, when Moses is instructed to ask Pharaoh to "let us go a distance of three days into the wilderness to sacrifice to the Eternal our God" (Exodus 3:18).

When he returns to Egypt, Moses also hears God's commandment for every Israelite household to slaughter a kid or a lamb, the blood of which will protect the people of Israel from death (Exodus 12:13). This is, surely, a commandment that Moses understands as necessary.

And when Moses brings the freed Israelites back to Mount Horeb, he also seals the covenant at the mountain with the blood of slaughtered animals. He “designated some young men among the Israelites, and they offered burnt offerings and sacrificed bulls as offerings of well-being to the Eternal. Moses took one part of the blood and put it in basins, and the other part of the blood he dashed against the altar.... Moses took the blood [in the basins] and dashed it on the people and said, ‘This is the blood of the covenant that the Eternal One now makes with you concerning all these commands’” (Exodus 24:5–6, 8). This, too, evidently seemed necessary.

Why was that the case? Can we still imagine that this is a covenant of compassion, instituted by the prophet who “was understanding and discerning of the needs of every creature”? Why did Moses, who was filled with compassion for the tired and thirsty kid in Exodus 3, show no apparent concern for the kids and lambs slaughtered in Exodus 12 or the bulls slaughtered in Exodus 24?

One possibility is that Moses was certain that God’s voice was commanding slaughter because he could not have imagined worship without slaughter, or least could not imagine the people of Israel tolerating God or Moses without feeling the security that sacrifice was sure to bring. Maimonides teaches that the people of Israel were accustomed to the idea that animal slaughter would bring benefit, and they could not have imagined anything different: “at that time the way of life generally accepted and customary in the whole world and the universal service upon which we were brought up consisted in offering various species of living beings.”²¹ The Torah did restrict animal slaughter in significant ways—allowing sacrifices only to God, and only in certain locations and with certain species—but it could not have

prohibited slaughter altogether.²²

Historian of religions Aaron Gross suggests further reasons why animal slaughter may be viewed as necessary, even for a prophet distinguished by his compassion. Gross has pointed to the insight of the philosopher Jacques Derrida that sacrifice and other acts of violence against animals authorize that violence "in the name of protecting the human," ensuring that we think of humans (or, at least, certain humans—not, say, the Egyptian firstborns in Exodus 12) as ultimately valuable in contrast to animals. Humans can be defined precisely as those who are not slaughtered, but rather as those whose desires, livelihoods, and rights are protected (with compassion), thanks to the sacrifice of animals.²³ "The very concepts of 'human' and 'animal,'" Gross writes, "are forged in a sacrificial fire."²⁴

In light of this insight, we might imagine that Moses did find assurance that God "will be with them"—with the people of Israel, those whom he saw as most human, and certainly not with sacrificial animals. If in Exodus 3 Mount Horeb was the location where compassion was demanded for both humans and animals, in Exodus 24 Mount Horeb becomes the location where humans and animals are now wholly distinguished from each other. Animals are those whose throats should be slit, not only to feed human beings but also to offer them protection and atonement; humans are those who find atonement precisely when they have the blood of slaughtered animals dashed upon them by Moses, in line with the rabbinic teaching that "there is no atonement except with blood."²⁵ Amidst this scene, it is hard to imagine the fire on the mountain as a symbol of compassion for all creatures; any fires of compassions are eclipsed by the sacrificial fire designed to roast animal flesh and to enact the stark human/animal dichotomy.

To deny the suffering of the slaughtered animals and to repress compassion will be difficult for Moses. "No one," Derrida has

written, “can deny the suffering, fear or panic, the terror or fright that can seize certain animals and that we humans can witness”—that “they suffer, like us.” Nor is there doubt “of there being within us the possibility of giving vent to a surge of compassion, even if it is then misunderstood, repressed, or denied, held at bay.”²⁶ But, nevertheless, human beings will do what they can to avoid the suffering animal eyes that demand compassion and that will necessarily threaten the human/animal dichotomy. Compassion for an animal might well lead to the outcome that Rabbi Eliyahu Eliezer Dessler described, where one will “not feel a sense of selfhood and what is ‘his’ at all, and thus one is unified with the rest of creation,” and where the other’s affliction will feel like one’s own.²⁷

After his encounter with the kid and with the divine ideal of compassion, Moses might have been in danger of losing his sense of self as an independent, human subject. He may now turn away from the memory of the gaze of the particular animal, and instead turn to giving instructions about how to relate to “the animal” in general. Yes, one should not be needlessly cruel to an animal, but one may kill when necessary—to satisfy cravings, to seal a covenant, to accommodate the “generally accepted and customary” way of life, or to protect human identity as distinct from the identity of the animal. As Gross writes, building on Derrida, “The generality of ‘the animal,’ insinuated in language, works silently to disavow impulses of pity and the often spontaneous tendency to place human and nonhuman animals in the same or proximate categories.”²⁸ If Moses had at first felt compelled to emulate a divine compassion that promised “I will be with them” to all suffering creatures, he may now come to disavow that understanding, and to assure his people that the ideal of compassion would shine above all on them rather than on lesser beings.

Recovering the Prohibition of *Tza'ar Ba'alei Hayyim*

It is striking that the prohibition of *tza'ar ba'alei hayyim* is not even recorded explicitly in the written Torah of Moses. Still, as noted above, later rabbinic sources do indeed claim that the prohibition was in fact found in the Written Torah. Some sources depict Moses as receiving the commandment forty years after he had first brought the Israelites to Mount Horeb. If we imagine that Moses first felt the prohibition against *tza'ar ba'alei hayyim* when he encountered the tired and thirsty kid at Horeb (as Yeruham Levovitz had suggested) but then came to disavow it (as I imagined in the previous section), we might imagine that, forty years later, approaching the end of his life, he recovered and taught the prohibition to the people of Israel.

One suggestive tradition appears in the writings of Rabbi Moses ibn Habib, which indicate that the prohibition of *tza'ar ba'alei hayyim* is given in chapter 20 of the Book of Numbers. At this point, forty years after the exodus and the revelation at Horeb, the Israelites and their animals are tired and thirsty, and God commands Moses to use his rod to "provide water for the congregation and their animals" (Numbers 20:8).²⁹ The inclusion of the animals in the commandment, for ibn Habib, points to a commandment to prevent *tza'ar ba'alei hayyim*.³⁰ As we might explain, divine compassion seeks to alleviate the suffering not just of the Israelites but also of their flocks. We might imagine this instruction returning Moses to the moment where he first felt the force of compassion in its fullness and the commandment to prevent the suffering of animals; perhaps now, at last, Moses is able to hear that commandment clearly, applied to all of the animals in his care, and to record the commandment in the written Torah.

Still another tradition sees the prohibition of *tza'ar ba'aalei*

ḥayyim as recorded in the Written Torah two chapters later, in the story of the non-Israelite prophet Balaam. Balaam is riding on his donkey, heading to curse the people of Israel, when God prevents the donkey from moving forward, and Balaam beats her three times. The donkey objects, miraculously speaking to her master, and Balaam (not seeing the angel that prevents the donkey's passage) only threatens her further: "If I had a sword with me, I'd kill you!" (Numbers 22:29). God then chastises Balaam, questioning him through the angel: "Why have you beaten your donkey these three times?" (Numbers 22:32). As recorded in one midrash (Midrash Ha-Gadol in the name of Rabbi Yoḥanan), this chastisement is what institutes the prohibition of *tza'ar ba'alei ḥayyim*.³¹ When Moses records this story in the Torah, and writes down the divine response to Balaam, he instructs the Israelites that causing unnecessary suffering is prohibited.

On the one hand, Balaam is far less able than Moses to sense God's compassion for all creatures. Whereas Moses perceives God's angel at the burning bush at the moment that he responds compassionately to the escaped kid, Balaam fails to perceive God's angel before him while he cruelly beats his donkey. Whereas Moses uses his rod to draw water for animals, Balaam only uses his rod to beat an animal. And while Balaam mistreats his donkey, Moses is also described by the Torah as a donkey rider and does not mistreat his donkey. Moses is described as getting on a donkey to head to Egypt with his wife and sons immediately following the burning bush episode (Exodus 4:20), and midrashic tradition notes that Moses' donkey was in fact the child of the donkey that Balaam rode.³² We can imagine that Moses would treat well the foal of the animal that Balaam abused.

But Balaam may come to significantly improve his ways. Balaam is sometimes described in midrashic literature as Moses' alter ego, "like Moses" and in some respects even superior to Moses. The Book of Deuteronomy teaches that "never again did there arise in Israel

a prophet like Moses—whom the Eternal singled out, face to face” (Deuteronomy 34:10),³³ and Sifrei Devarim protests: “None has arisen in *Israel*, but one has arisen among the nations. And who was he? Balaam son of Beor. Yet there is a difference between the prophecy of Moses and that of Balaam: Moses did not know who was speaking to him [out of the burning bush], whereas Balaam did know who was speaking to him.”³⁴ Whereas Moses is baffled at the burning bush, and perhaps especially confused by the revelation of God’s enigmatic name, Balaam does not seem to have any confusion when he is addressed by God, and perhaps he responds as well as Moses—or with even greater compassion. And he seems contrite when God chastises him and teaches him the prohibition of *tza’ar ba’alei hayyim*; “I have sinned,” he says (Numbers 22:34).

But then, perhaps, Moses learns from hearing of (and writing down the story of) Balaam’s contrition. Moses might benefit from noticing how God defends the donkey—“I will be with her in her suffering,” God might seem to say. Balaam may ultimately end up resisting the call of compassion just as Moses did (he, too, sacrifices animals after this encounter with God), while we can still imagine Moses’ hearing of this episode as changing him. If he had resisted recording and teaching the prohibition of *tza’ar ba’alei hayyim* until this point, we can imagine him as now finally inscribing it in the Torah. Whether with hearing the command to give water to his flocks, or with hearing of the commandment to Balaam not to strike his donkey, we can imagine Moses turning back toward the ideal of divine compassion toward the end of his life.

Conclusions

In this essay, I have imagined the life of Moses as following an arc in

relationship to the divine ideal of compassion for all sentient beings. As I have imagined it, Moses first comes close to the divine ideal of compassion for all creatures and grasps the commanding power of that ideal—an ideal that finds expression in the revelation of the suffering kid, the revelation of the burning bush, and in the revelation of the divine name, Ehyeh Asher Ehyeh. When they return to the spot where these revelations occurred, the Israelites whom Moses leads are confronted with this ideal of compassion as well. Moses may come to disavow this understanding and his vision of preventing animal suffering, when he focuses on his people and the necessity of animal sacrifice. But he may later come to recover some of the power of his original encounter and to turn back toward the ideal of divine compassion later in life, when he is finally able to record the prohibition of *tza'ar ba'alei hayyim* in the Torah.

As I conceive of God, God is a commanding ideal of moral goodness, and at the heart of moral goodness is compassion for other beings. Traces of the divine presence may be glimpsed through acts of compassion for those who suffer, including those animals whose suffering is most easily ignored. All of us, I think, can apprehend the obligations that God imposes upon us when we, like Moses, act with compassion. And all of us can easily turn away from these obligations, especially when they threaten our complacency, our self-centered desires, or our sense of human identity. All of us can be like Moses as he lifts a tired animal on his shoulder and turns toward the ideal of compassion that burns before his eyes, and all of us can also be like Moses as he burns the bodies of sacrificial animals and as he takes up their blood. We may be moved by the rabbinic idea that atonement is achieved through lovingkindness,³⁵ but we may also be moved by the idea that there is no atonement except with blood.³⁶

Precisely because most of us turn away from seeing the suffering of animals, I see particular value in the model of Moses turning

toward the kid, turning toward the bush and the vision of trapped birds, and turning to hear the divine name that speaks of all who suffer. Especially in the contemporary era, where animals are abused and slaughtered on an unprecedented scale—where billions of birds, for example, are raised for human consumption in tortuous conditions that resemble those that Moses saw within the burning bush—the model of responsiveness that Moses offers may help us to consider ways to increase our own responsiveness to mass suffering. Especially in an era where it is very easy to turn one's eyes away from the mass suffering of animals—so much of animal suffering takes place in factory farms, behind closed doors—Moses' initial refusal to turn away may help to remind us not to turn away. And considering how Moses may then disavow the animal as he develops systems of sacrifice can help us to see how we also disavow animals in supporting our contemporary systems of abuse and slaughter.³⁷

It is difficult to be with others who are suffering and even harder to feel their pain, and it is all the more difficult to be compassionate when the number of those who suffer is so staggering. We will inevitably fall short of the ideal of compassion, and yet it is my hope that the ideal is one toward which we can take steps, as best we are able. May God conceived of as an ideal of "being with them," Ehyeh Asher Ehyeh, be a source of inspiration for our own growth toward ever-deepening compassion.

NOTES

¹ I have explored this concept previously in my “The Kaddish, the Allegory of the Cave, and the Golden Calf: Meditations on Education and the Encounter with God,” in *Kaddish*, eds. David Birnbaum and Martin S. Cohen (New York: New Paradigm Matrix, 2016), pp. 307–336.

² NJPS translation, substituting “Eternal One” for “Lord.”

³ Shemot Rabbah 2:2.

⁴ I have discussed this theme in two of my essays: “Jewish Virtue Ethics and Compassion for Animals: A Model from the Musar Movement,” *CrossCurrents* 61:2 (2011), pp. 208–216, and “Musar and Jewish Veganism,” in *Jewish Veganism and Vegetarianism: Studies and New Directions*, eds. Jacob Labendz and Shmuly Yanklowitz (Albany: SUNY Press, 2019), pp. 195–216.

⁵ Natan Tzvi Finkel, *Or Ha-tzafun* (Jerusalem: Yeshivat Hēvron, 1959), vol. 2, p. 7.

⁶ *Ibid.*, vol. 2, p. 8.

⁷ Andrew Michael Flescher, *Heroes, Saints & Ordinary Morality* (Washington, D.C.: Georgetown University Press, 2003); my formulation here is influenced by Elizabeth M. Pybus, “Saints and Heroes,” *Philosophy* 57:220 (1982), p. 194. I explore this idea as understood within the Musar movement in my *Sharing the Burden: Rabbi Simḥah Zissel Ziv and the Path of Musar* (Albany: SUNY Press, 2015), pp. 122–124.

⁸ Shemot Rabbah 2:5. A similar midrash, which serves as the basis for a comment by Rashi on Exodus 3:2, is found in Midrash Tanḥuma, *Shemot* §14.

⁹ Shemot Rabbah 2:5.

¹⁰ Shemot Rabbah 3:6. A similar midrash, which serves as the basis for the comment by Rashi on Exodus 3:14, is found in B. Berakhot 9b.

¹¹ NJPS translation.

¹² *Mekhilta de-Rabbi Shimon Bar Yohai*, trans. W. David Nelson (Philadelphia: Jewish Publication Society, 2006), p. 1 (Sanya 1:1). Two similar texts are also found in Shemot Rabbah 3:6.

¹³ See, e.g., B. Bava Metzia 32b, and Midrash Ha-Gadol on B'midbar, *parashat Balak* 22:32. And cf. also the medieval *Sefer Hasidim* §666.

¹⁴ See J. David Bleich, “Animal Experimentation,” in *Contemporary Halakbic Problems* (New York: Ktav, 1989), vol. 3, p. 217.

¹⁵ Pirkei D'rabbi Eliezer, chap. 40.

¹⁶ Yeruḥam Halevi Levovitz, *Sefer Da'at Torah*, ed. Simḥah Zissel Halevi Levovitz (Jerusalem: Daas Torah Publications, 2001), vol. 2, p. 184. Levovitz builds on Rashi on Exodus 19:2, who in turn builds on *Mekhilta Ba-ḥodesh* §1.

¹⁷ Elijah Eliezer Dessler, *Sefer Mikhtav Mei-eliyahu: Divrei Hokhmah U-musar Ba-avodat Hodesh Elul V'yarei'ah Ha-eitanim* (Bnei Brak: Vaad Siftei Hakhamim, 2009), vol. 2, p. 558, citing the statement of Rabbi Akiva in Y. Nedarim 9:4, 41c.

¹⁸ Simḥah Zissel Ziv, *Sefer Hokhmah U-musar* (Jerusalem: Me'orai Oros Hamussar Publications, 2003), vol. 1, p. 31.

¹⁹ Yeruḥam Halevi Levovitz, *Sefer Da'at Hokhmah U-Musar*, ed. Simḥah Zissel Ha-levi Levovitz (Jerusalem: Me'orai Oros Hamussar Publications, 2003), vol. 1, p. 28.

²⁰ Levovitz, *Sefer Da'at Torah*, vol. 2, p. 12.

²¹ Moses Maimonides, *The Guide of the Perplexed* III 32, trans. Shlomo Pines (Chicago: University of Chicago Press, 1963), vol. 2, p. 526.

²² See the discussion of the limits on location in Maimonides, *Guide* III 32, ed. cit., vol. 2, p. 529.

²³ Aaron S. Gross, *The Question of the Animal and Religion: Theoretical Stakes, Practical Implications* (New York: Columbia University Press, 2014), pp. 137–138. Gross is pointing to Jacques Derrida, *The Animal That Therefore I Am*, ed. Marie-Louise Mallet, trans. David Wills (New York: Fordham University Press, 2008).

²⁴ Gross, *Question of the Animal and Religion*, p. 141.

²⁵ This statement, made with reference to Leviticus 17:11, appears in B. Zevaḥim 6a, B. Yoma 5a, and B. Menahot 93b.

²⁶ Derrida, *The Animal That Therefore I Am*, p. 28.

²⁷ See note 18.

²⁸ Gross, *The Question of the Animal and Religion*, p. 127.

²⁹ Though the Book of Numbers does not explicitly date this event, it is commonly assumed in rabbinic literature that it occurred near the end of the Israelites' forty years in the wilderness; see, e.g. Bemidbar Rabbah 19:9, where the midrash explains how "Moses had been guarding himself during all those forty years of wandering."

³⁰ See Bleich, "Animal Experimentation," p. 203.

³¹ Midrash Ha-Gadol to *parashat Balak* 22:32, using the text found in *Midrash Ha-gadol Al Hamishah Humshei Torah: Sefer B'midbar*, ed. Solomon Fisch (Jerusalem: Kiryat-Sefer, 1963), vol. 2, p. 183.

³² See Pirkei D'rabbi Eliezer, chap. 31.

³³ NJPS translation.

³⁴ Sifrei Devarim §357, using the translation of Reuven Hammer in his *Sifre: A Tannaitic Commentary on the Book of Deuteronomy* (New Haven: Yale University Press, 1986), p. 383.

³⁵ Avot D'rabbi Natan 4.

³⁶ See note 26.

³⁷ See Gross, *The Question of the Animal and Religion*, pp. 137–138. In his broader analysis, Gross writes with particular reference to another rabbinic narrative, in which Rabbi Judah the Patriarch disavows an animal other, a calf that seeks his compassion (B. Bava Metzia 85a). I have further discussed the intersections

between the narrative regarding Moses and the narrative regarding Judah, with particular reference to Gross's rich analysis, in a recent conference paper, "Moses and the Kid, Judah and the Calf, and the Disavowal of Compassion," delivered at the American Academy of Religion Annual Meeting in Denver, Colorado, on November 18, 2018.